



Attorney's Docket No. 1016800-000634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Daniel Asselineau et al.)	Group Art Unit: 1641
Application No.: 10/619,188)	Examiner: CHANGHWA J. CHEU
Filed: July 15, 2003)	Confirmation No.: 4954
For: ANTIBODIES SPECIFIC FOR)	
PAPILLARY FIBROBLASTS AS)	
MARKERS FOR SKIN QUALITY)	

referred
J.
8/16/06

DECLARATION BY INVENTOR PURSUANT TO 37 C.F.R. § 1.804(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1, Arnold I. Caplan, Ph.D., hereby state as follows:

1. I am an inventor of the subject matter of the above-captioned patent application.
2. A sample of the cell line that produces the PG4 antibody has been deposited under the terms of the Budapest Treaty in the American Type Culture Collection (ATCC), 10801 University Blvd., Manassas VA 20110-2209 on March 28, 2006 and has been assigned accession no. PTA-7447. A copy of the Deposit Receipt is attached hereto.
3. I confirm that the sample that was deposited was prepared by me and/or under my supervision and that the antibody produced by the cell line is the same PG4 antibody that is described in the above-captioned patent application.
4. The deposited materials will be released to the public irrevocably and without restriction or condition upon issuance of a patent from the above identified application in accordance with the terms of 37 C.F.R. §§ 1.801-1.809.

Buchanan Ingersoll PC
ATTORNEYS
Including attorneys from Burns, Donner, Swetkey & Mathis

(8/05)

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

June 21, 2006

Arnold I. Caplan
ARNOLD I. CAPLAN, PH.D.

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE****INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2****To: (Name and Address of Depositor or Attorney)**

Case Western Reserve University
Attn: Joseph Jankowski, Ph.D.
10900 Euclid Avenue
Cleveland, Ohio 44106

Deposited on Behalf of: Case Western Reserve University

Identification Reference by Depositor:
Mouse hybridoma cells – spleen, PG-4

Patent Deposit Designation
PTA-7447

The deposit was accompanied by: X a scientific description a proposed taxonomic description indicated above.

The deposit was received March 28, 2006 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested June 1, 2006. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:


Fanya Nurmally, Patent Specialist, ATCC Patent Depository

Date: June 5, 2006

cc: Christopher L. North, Ph.D.
(Ref.: Docket or Case No.: 016800-634)